In the High Court of Punjab and Haryana at Chandigarh

…..

Criminal Misc. No.34383-M of 2007

…..

Date of decision:25.5.2007

Lalita Bains and another

…..Petitioners

v.

U.T., Chandigarh and others

…..Respondents

…..

Present: Mr.Navdeep Singh, Advocate for the petitioners.

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S.S. Saron, J.

The petitioners by way of the present petition under Section 482 Cr.P.C. seek directions to respondents No.1 to 3 to protect their life and liberty from respondent No.4, who is father of petitioner No.1.

Both the petitioners are stated to be major. The date of birth of petitioner No.1 is 5.2.1982 and that of petitioner No.2 is 15.3.1984. The petitioners met each other and developed a liking and understanding for each other. Petitioner No.2 is a Graduate and is working as an Executive Customer Care, Airtel, Sector 34, Chandigarh. The petitioners went to the parents of petitioner No.1 for the solemnization of the marriage. Initially they were agreeable. However, later as petitioner No.2 was from a different caste they refused to marry petitioner No.1 with petitioner No.2. Both the petitioners thereafter solemnized their marriage amongst themselves on 16.5.2007 as per Sikh rites and ceremonies at Gurudwara Jiwan Sudhar Sabha, Sector 32-C, Chandigarh. The photographs (Annexure-P.5) showing

the solemnization of marriage and the certificate (Annexure-P.4) issued by the Gurudwara regarding the solemnization of marriage are placed on record. The solemnization of marriage is not to the liking of respondent No.4, who is father of petitioner No.1. He is serving as JBO in the Air Force at Chandigarh. The petitioners are saving their lives by hiding here and there. They apprehend that great harm would be caused to them by respondent No.4 as he has already threatened to kill the petitioners.

After hearing learned counsel for the petitioners and perusing the records it may appropriately be noticed that before approaching this Court the petitioners have not approached respondents No.2 and No.3 setting out their grievance as have been made in the present petition.

In the facts and circumstances as pleaded and having regard to the nature of allegations the respondents No.2 and 3 would be in a better position to know the ground realities and grant necessary relief.

Accordingly, the criminal miscellaneous petition is disposed of with a direction to respondents No.2 and 3 that in case the petitioners approach any of them setting out their grievances as have been made in the present petition the same would be looked into by them independently and in accordance with law.

May 25, 2007. **(S.S. Saron)**
Judge

hsp